

Department of Legislative Services
Maryland General Assembly
2023 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 880 (Delegate Conaway)
Ways and Means

Education - Public Middle Schools - Course on Collateral Consequences of a Criminal Conviction

This bill requires the State Board of Education (SBE) to develop curriculum standards for a course on the collateral consequences of a criminal conviction for students in grades 6 through 8 in public schools. Beginning in the 2024-2025 school year, each local board of education must develop and implement a course on the collateral consequences of a criminal conviction that is based on SBE standards and that must be taught at least once to students in grades 6 through 8. **The bill takes effect July 1, 2023.**

Fiscal Summary

State Effect: The Maryland State Department of Education (MSDE) can develop the required standards using existing resources, although resources may be temporarily diverted from other projects. Revenues are not affected.

Local Effect: Local school system expenditures increase in FY 2024 to develop local curriculums for a course on the collateral consequences of a criminal conviction. Beginning in FY 2025 (2024-2025 school year) local school system expenditures increase to implement the course. Revenues are not affected. **This bill may impose a mandate on a unit of local government.**

Small Business Effect: None.

Analysis

Bill Summary: “Collateral consequences of a criminal conviction” is defined as the legal penalties that take away an individual’s rights or access to programs or services, or that

impose another types of disadvantage that punish an individual but are not part of the individual's sentence imposed after conviction of a crime.

SBE may adopt regulations to implement the bill.

Current Law: With the advice of the State Superintendent of Schools, SBE establishes basic policy and guidelines for the program of instruction for public schools. Subject to State law and the regulations, bylaws, policies, and guidelines established by SBE, each local board of education must establish the curriculum guides and courses of study for schools in its jurisdiction. Policies, rules, and regulations for the graduation of students from Maryland public schools are established by local boards of education and SBE.

MSDE advises that at the middle school level the [State Standards and Frameworks in Social Studies](#) do not include the content required by the bill; however, opportunities to learn about criminal law and the criminal justice system are directly addressed in high school United States History and American Government.

State Expenditures: MSDE advises that developing the content standards on the collateral consequence of a criminal conviction for grades 6 through 8 has no material fiscal impact; however, there is an operational impact. To develop the standards, MSDE staff must convene and staff a workgroup of diverse stakeholders to develop new guidelines. MSDE will be expected to conduct research, organize and facilitate meetings, develop materials, and write the standards. MSDE will also be expected to provide ongoing technical assistance to the local school systems on the newly established standards. This may temporarily divert resources from other projects.

The Department of Legislative Services (DLS) notes that the standards must be developed with sufficient time for local school systems to develop local curriculums based on the standards before the beginning of the 2024-2025 school year.

Local Expenditures: The bill requires local school systems to, beginning in the 2024-2025 school year, develop and implement a *course* on the collateral consequences of a criminal conviction that must be taught at least once to students in grades 6 through 8. To allow adequate time for local school systems to develop their curriculums and train their staff, it is assumed that SBE will complete the necessary standards before the end of fiscal 2024 (June 30, 2024). Thus, local school system expenditure for curriculum development increase in both fiscal 2024 and 2025. However, the exact costs for curriculum development cannot be accurately estimated, as they will depend on the standards set by SBE. Two counties, Anne Arundel County Public Schools (AACPS) and Prince George's County Public Schools (PGCPS), have estimated that their curriculum development costs will range from \$47,700 to \$80,000.

Beginning in fiscal 2025 (2024-2025 school year) local school system expenditures increase to implement the new *course*. Implementation costs depend on local conditions, including teacher availability, as well as the standards developed by SBE. DLS notes that requiring local school systems to teach an entire *new course* on the topic may require local school systems to adjust the current course offerings for students in grades 6 through 8. AACPS advises that 9.5 additional teachers at an annual cost of at least \$786,600 are needed to implement the course in the county’s 19 middle schools (0.5 teacher per school). PGCPs anticipates \$20,000 in annual training costs for existing teachers.

Additional Comments: In December 2021, DLS produced a report entitled “[Collateral Consequences of a Criminal Conviction.](#)”

Additional Information

Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): Maryland State Department of Education; Anne Arundel County Public Schools; Prince George’s County Public Schools; Department of Legislative Services

Fiscal Note History: First Reader - February 26, 2023
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